

IC 29-3-13

Chapter 13. Foreign Guardians

IC 29-3-13-1

Payment of debt or delivery of property to foreign guardian

Sec. 1. (a) Any person indebted to an incapacitated person or minor, or having possession of property belonging to a minor or incapacitated person, may pay the debt or deliver the property to a foreign guardian appointed by a court of the state in which the incapacitated person or minor resides upon being presented with proof of the foreign guardian's appointment and an affidavit made by the foreign guardian stating the following:

- (1) That the foreign guardian does not know of any other guardianship proceeding, relating to the incapacitated person or minor, pending in Indiana.
- (2) That the letters of the foreign guardian were duly issued.
- (3) In the case of an incapacitated person who is an adult (as defined in IC 29-3.5-1-2(1)), that the foreign guardian does not know of a court in a jurisdiction other than Indiana that has exercised jurisdiction regarding the incapacitated person under a law similar to IC 29-3.5-2.
- (4) That the foreign guardian is entitled to receive the payment or delivery.

(b) If the person to whom the affidavit is presented does not know of any other guardianship proceeding pending in Indiana, payment or delivery in response to the demand and affidavit discharges the debtor or possessor from any further liability.

As added by P.L.169-1988, SEC.1. Amended by P.L.33-1989, SEC.81; P.L.178-2011, SEC.7.

IC 29-3-13-2

Filings concerning a foreign guardianship of the property of a minor; registration of the letters of office of a foreign guardian for an adult

Sec. 2. (a) This subsection applies to a guardianship of the property of a minor. If no guardian has been appointed, and no petition in a guardianship proceeding is pending in Indiana, a guardian appointed by a court of another state in which the minor is domiciled may file, with an Indiana court in a county in which property belonging to the minor is located, an authenticated copy of the guardian's appointment and a bond that meets the requirements of IC 29-3-7-1 with respect to that part of the property of the minor that is located in that county. After filing the copy and bond, the foreign guardian may exercise as to the property of the minor in that county in Indiana all powers of a guardian in Indiana and may maintain actions and proceedings in Indiana.

(b) In the case of an incapacitated person who is an adult (as defined in IC 29-3.5-1-2(1)), a foreign guardian for that adult may register certified copies of the guardian's letters of office and order of appointment under IC 29-3.5-4.

As added by P.L.169-1988, SEC.1. Amended by P.L.33-1989, SEC.82; P.L.178-2011, SEC.8.

IC 29-3-13-3

Acts by which foreign guardian submits to personal jurisdiction

Sec. 3. A foreign guardian submits personally to the jurisdiction of Indiana courts in any proceeding relating to the property for which the guardian is responsible by:

- (1) complying with section 2 of this chapter;
- (2) receiving payment of money or taking delivery of property belonging to a minor in Indiana; or
- (3) doing any act as a guardian in Indiana that would give Indiana jurisdiction over the guardian as an individual.

As added by P.L.169-1988, SEC.1. Amended by P.L.33-1989, SEC.83; P.L.178-2011, SEC.9.